

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

LEE ANDREW REED,

Plaintiff,

No. CIV S-04-0936 LKK GGH P

vs.

S. HAVERKAMP, et al.,

Defendants.

FINDINGS & RECOMMENDATIONS

Plaintiff is a state prisoner proceeding pro se with a civil rights action pursuant to 42 U.S.C. § 1983. On July 19, 2006, plaintiff filed a motion for appointment of counsel. In this motion, plaintiff also alleges that he is in great pain and requests that he be transferred to a medical facility.

Plaintiff is presently housed at Kern Valley State Prison (KVSP). No defendants are located at KVSP. Plaintiff is seeking injunctive relief against individuals who are not named as defendants in this action. This court is unable to issue an order against individuals who are not parties to a suit pending before it. See Zenith Radio Corp. v. Hazeltine Research, Inc., 395 U.S. 100, 112 (1969).

Accordingly, IT IS HEREBY RECOMMENDED that plaintiff's request for injunctive relief contained in his July 19, 2006, motion for appointment of counsel be denied.

1 These findings and recommendations are submitted to the United States District
2 Judge assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within twenty
3 days after being served with these findings and recommendations, any party may file written
4 objections with the court and serve a copy on all parties. Such a document should be captioned
5 “Objections to Magistrate Judge’s Findings and Recommendations.” Any reply to the objections
6 shall be served and filed within ten days after service of the objections. The parties are advised
7 that failure to file objections within the specified time may waive the right to appeal the District
8 Court’s order. Martinez v. Ylst, 951 F.2d 1153 (9th Cir. 1991).

9 DATED: 7/26/06

/s/ Gregory G. Hollows

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11 GREGORY G. HOLLOWS
12 UNITED STATES MAGISTRATE JUDGE

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